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ABSTRACT

School psychologists must have a system of problem solving to employ when faced with ethical dilemmas. In addition, school psychologists must recognize that professional expertise brought to practice in the schools is not value free. It is imperative that those who see themselves as helping others, especially children, clarify their ideals, goals, norms, and standards of behavior. It is important to consider questions of individual responsibility in the face of authority or in the face of unethical or ineffective behavior on the part of one's colleagues. School psychologists must be aware of their own biases and weaknesses. They must also become aware of the values of the community, and finally, of the values of the individuals with whom they interact. While psycholgists make every effort to reconcile any differences which arise, individual ethical integrity must remain paramount. The school psychologist who fulfills the role mandated by law, follows ethical guidelines, functions effectively in a bureaucratic structure, and when necessary, goes "beyond the guidelines" may still encounter ethical dilemmas. Psychologists must gain practice in dealing with the processes involved in resolving ethical dilemmas, and must receive the professional support needed to live up to standards and ideals. (ABL)

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Ethical Issues:

The Changing Role of

the School Psychologist

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Ethical Issues: The Changing Role of the School Psychologist

In providing psychological services in the schools, it is important for the school psychologist to recognize, understand and have plans to deal with the ethical issues that are likely to be encountered. Because schools are complex, bureaucratic institutions engaged in the education and socialization of a vast array of children, many ethical dilemmas may arise, and some of them are unique to the situation. The historical role of the school psychologist in psychoeducational assessment and planning continues; in addition, the current role of the school psychologist within that setting has changed dramatically, and continues to change, moving toward a greater emphasis on consultation, with the goal of primary prevention (Alpert, 1985).

When the psychologist attempts to function in an expanded fashion in a social institution as complex as a school system, then conflict of interests, misinterpretations of purpose, and problems of territoriality are inevitable The school psychologist role, as viewed by the psychologist, may not be congruent with the goals explicitly or implicitly desired by the community (Bardon, 1982). Thus, the expanded role can introduce additional complexities into the school psychologist's work.

Among the dilemmas the school psychologist must confront is the frequently debated question of who the client is. Is it the school which pays the psychologist's salary or the community, or the parents, or the child? The psychologist in the role of consultant must also

maintain confidentiality with all clients. Conflicts can arise with administrators when the psychologist is asked to report on teacher behavior or attitudes. The question of student confidentiality in counseling must be addressed. In addition, behavior control and behavior change are particularly relevant for psychologists working in schools, since schools by their nature are charged with changing children's behavior. As the role of the school psychologist expands, he/she may be asked to perform tasks for which he/she has little training.

This article will highlight dilemmas for the school psychologist with respect to these four issues--defining the client, confidentiality, behavior control, and competence.

Expanded Role of the School Psychologist

The role of the school psychologist is not limited to that of psychological and psychoeducational assessment. The Specialty Guidelines for the Delivery of Services by School Psychologists, (APA, 1981) delineate an extremely broad range of services as appropriate for school psychologists. These include interventions to facilitate the functioning of individuals and groups, as well as interventions to facilitate the functioning of school personnel, parents, and community agencies, a broad range of program development, and consultation and collaboration with school personnel. A similar range of services is incorporated into the role description of the school psychologist in the Standards for the Provision of School Psychological Services developed by the National Association of School Psychologists. Consultation has become one of the major

activities performed by school psychologists now, and is among the most dominant and influential trends in thinking about school psychology, in both training and practice (Gutkin and Curtis, 1982).

Consultation may focus on a particular child or on particular professional problems that a teacher is having at work (this is called consultee-centered case consultation, in Caplan's [1970] model). In addition, the school psychologist may also work in administrative consultation (Caplan, 1970) or organizational development (Schmuck, 1982), to improve communication or decision making within a school, or to facilitate the development or implementation of new programs. In such work, the expertise of the psychologist may be relied upon to develop in the staff the attitudes and skills which will be needed for a particular project to succeed, since programmatic changes can often be doomed to failure without appropriate attitude changes (Sarason, 1971; Schein, 1969).

In consultation, the definition of who the client is may become blurred. In consultee-centered case consultation, where the psychologist works with the teacher because the problem has become identified as one in which the teacher is the psychologist must straddle a thin line between the interests of the child, the interests of the teacher as a professional, and the interests of the teacher's more personal life. There have been many warnings to school psychologists to restrict their work in such situations to the teacher's professional,

rather than personal, issues, lest therapeutic explorations intrude upon the teacher's privacy in the job and place the school psychologist in a dual role at school (Caplan, 1970; Newman, Bloomberg, & Emerson, 1971, Gutkin and Curtis, 1982). However, the most appropriate way of carrying out this separation is not clear. Caplan initially argued that the psychologist should best use only indirect methods with the consultee, while contemporary, school based psychologists urge more direct confrontations with the teacher (Meyers, Parson and Martin, 1979, Gutkin and Curtis, 1982). It does seem that no one approach will be ethical or effective for all situations, but that the school psychologist will need to adapt an approach uniquely tailored for each situation and each teacher, in order to present material that may be psychologically threatening in a therapeutic but non-intrusive manner.

Juggling various clients may also be problematic in administrative consultation or organizational development, when psychologists may find that they are in disagreement with the employing system about programs, policies or techniques of decision making. It becomes particularly important then to try to clarify whose interests are being served by which positions. The psychologist must act with concern for the legitimate needs of all involved lest conflict be intensified beyond a useful point and the parties resort to administrative, or even legal, action.

Confidentiality may become a similarly complex issue. Thus, while working with a teacher, the school psychologist attempts to

insure confidentiality and protection from evaluative consequences because of anything disclosed in the consultation work (Gutkin & Curtis, 1982; Sandoval, Lambert & Davis, 1977). However, there are also limits to the confidentiality that can be assured to a teacher, particularly when something becomes disclosed to indicate that a child's interests are being harmed (Davis and Sandoval, 1982). In organizational development, when school staff and administrative personnel might be brought together to discuss communication or decision making issues, the school psychologist must strive to insure beforehand that the situation itself will be handled with confidentiality by all involved. In other words, there must be assurance that teachers will not be penalized for positions taken during such consultations. In addition, all participants must be taught to respect the confidentiality of other participants by not betraying what was discussed later to others.

The psychologist as a professional may become overly concerned with attaining a specific goal, rather than with facilitating a process of change. Then, success may become defined by a concrete change, rather than by gradual increments in an ongoing process. The psychologist may then become frustrated and angry with teachers or school systems, interpreting apprehensions or hesitations in a negative manner or attributing critical characteristics to the consultees (Martin, 1983). The psychologist may even begin to view natural resistances to change as indications of his/her own professional or personal failures. The intrusion of such reactions

(or over reactions) may in fact result in jeopardizing the psychologist's competence, and the psychologist becomes called upon then to find some means of working through such feelings without further compromising the work. Supervision or peer group consultations may help resolve such dilemmas.

Client Identification

One of the overriding questions which the psychologist in a school setting must consider in all situations is, "Who is the client?" Pantalino (1983) sees the parents as the primary client, explaining that the law mandates parental involvement, and that psychologists who see the child as primary client are setting the stage for adversarial proceedings. Hyman (1983) states that if a choice between parent and child is necessary he will "opt for the rights of the child over those of the parents" because he conceptualizes the function of the school psychologist as one who advocates for the child (p. 117). Kicklighter (1983) included the school as client in his discussion of the question and points out the difficulties that arise when the school psychologist consistently acts as any one party's "agent". Bardon (1982) proposed that there are many possible clients for a school psychologist, and that the identified client may change as the goal of the psychologist changes, and as the problem presented changes. Thus, a school psychologist presented with a behavior problem of a specific child may choose to work with the child as the primary client at one time and the teacher at another time, if the goal then is to improve the educational

system. Hyman (1983) also proposed that many different people (i.e. parents, teachers, school as institution) can be the recipient of psychological services even though the long range goal may be the best interest of the child.

In most cases, the school psychologist tries to balance the interests of child, parent, and school system. In some cases, the parent appears to not be acting in the best interests of the child. Even Supreme Court decisions concerning conflicts between parental rights and rights of children do not give an unequivocal answer. In abortion related cases in 1976 and 1979, the Supreme Court indicated that, in some facets of personal life, some children possess privacy rights that they may express even though such expression may conflict with parental wishes. However, in other domains where their interests may also be at stake, the court has failed to recognize the independent rights of children, i.e., parents may still commit their children to mental institutions without an impartial due process hearing such as is afforded an adult faced with involuntary commitment. Whether deciding in favor of children's rights to privacy in some instances or in favor of the parents' rights to act in the interest of their children in others, the Court stressed its belief that children, even adolescents, are incompetent to make decisions "including their need for medical care or treatment" (Parnum v. J.L., 1979, p. 603, cited in Bersoff, 1982, p. 1067).

There are several factors that the school psychologist needs to consider in trying to protect the interests of the child when it

may seem that the parents are not acting in the best interests of the child. First, it is important to take into account the seriousness of the issue in discussion. For example, physical, sexual or psychological abuse, which have serious consequences on the growth of the child, require the most intensive attention and perhaps the most extreme actions on the part of the professional. In addition, there may be legal mandates with implications regarding the reporting of such abuse, and these may vary from state to state. Some class placement issues may be quite serious in their implications for a child's development, while others may present such complex questions that a clear "best" decision is not apparent. Secondly, it is important to consider the long term psychological effects that any decision may have on the child within the family. It is not enough to consider educational decisions only in terms of short term consequences. If a parent, for example, concedes unwillingly to a school demand about class placement, the child may become scapegoated later by the parent, or may become viewed as an outsider in the family. And, of course, it is questionable if any intervention will be successful if it is not wholeheartedly accepted by the parents; a program can be undermined easily by resistances by parents.

Conflicts between the school as client and the child/parents as clients are often encountered by school psychologists, frequently in the form of a teacher referring a difficult-to-handle child with the covert goal of having the child removed from the classroom. If the psychologist feels that the child could be managed in the classroom,

the discrepancy between this idea and the goals of the teacher can result in much strain, both pragmatic and ethical. In such situations, ongoing consultations with teachers can be beneficial. An essential aspect of resolving these ethical dilemmas is to clarify the disagreements and to analyze differences, coming up ultimately with some collaborative set of goals (Tokunaga, 1984).

Confidentiality

In consulting with teachers about students, the psychologist must decide how much information is necessary for the teacher to know in order to work effectively with the student. For example, when working with a suicidal adolescent, a school psychologist might need to consider if it would be beneficial for the student for some teachers to be informed of the potentially dangerous nature of the student's depression. This could increase the protective atmosphere for the student, and could enlist other possible sources of help. Clearly, the sensitivity and availability of the teacher would be important to consider in such a decision, as well as the manner in which the teacher defined the work role (Mumford, 1968). An appropriate standard might be to limit the information to generalizations in most cases.

At other times the teacher has erroneous, or only partial, information, leading to errors in management or teaching. For example, a second grade teacher, sharing the impression that the school generally had that a rather inhibited mother of one of the students was uninvolved with her child, started to instruct the mother in ways to become more involved with her child. In fact, the mother was inhibited in interactions with adults, but was symbiotically over-involved with her child. The school psychologist needed to correct the teacher's line

of approach with the mother without betraying the mother's trust. In this case, a meeting was set up with the mother, teacher and school psychologist in which the teacher was encouraged to find out specific details from the mother about the child's daily activities. In reconstructing these specific events, a more accurate picture of the mother-child relationship became clear, and the teacher could pursue a more useful approach with the mother. Sometimes an administrator will try to get information about a teacher either directly or indirectly. The psychologist must not acquiesce the relationship with that teacher and other teachers will be destroyed.

A difficult conflict emerges when a psychologist, in the course of classroom observations, learns that a particular teacher's techniques and practices are destructive to the children in the class. The psychologist as consultant is not a supervisor and should not make evaluative remarks to others about a particular professional. However, when a child is in a potentially harmful situation, the child is the primary importance. In such a case, the contract made with the consulter is usually broken and the information may be shared with the appropriate supervisor. Davis and Sandolval stress:

> This is done when there is danger to the client and, unless in a crisis situation, after the consultant has exhausted all his or her professional expertise, gotten outside help in trying to deal with the situation, and exhausted any other avenues of intervention (1982, p. 550).

The practice of school psychology has become highly regulated by both the state and federal laws, and this has affected issues of confidentiality as well as identification of the client. Many procedures and decisions which were once left to the judgment of school psychologists and/or administrators are now mandated and regulated by PL 94-142, the Education for All Handicapped Act of 1975, and by the Family Education Rights and Privacy Act. In some cases, state and federal laws may conflict with each other, or with the ethical principles of psychologists.

However, constraints on confidentiality of all of the clients of the school psychologist, child, parent and school, have become evident (Everstine et al, 1980). For example, educational institutions which receive federal funds under any program administered by the Department of Education must allow parents access to records directly related to their children. As yet unresolved in this regard is the question of access to test protocols themselves. Bersoff (1982) cites the case of Lora v. Board of Education of the City of New York (1978) as a case in which the court reiterated the requirement that clinical records must be provided to the parents, but failed to clarify what is meant by the term "clinical records." Bersoff goes on to suggest, however, that the recent legislation passed by New York state requiring testing services to make standardized admissions tests for post-secondary and professional schools available to examiners "may serve as a precedent for access to test protocols by parents for such purposes" (p. 1063). The most recent revision of the Ethical

Principles of Psychologists (1981) reflects this trend in the rewording of Principle 8 to read, "Psychologists make every effort to maintain the security of tests and other assessment techniques within limits of legal mandates" (American Psychological Association, 1981, p. 637).

Another aspect of limits on parental confidentiality is the fact that in the course of counseling, the child will be discussing family interaction and family problems, and in that sense the privacy of the family is invaded without their knowledge and consent. Bersoff (1982) suggests obtaining parental consent for counseling, and many school district do require parental consent after a specified number of sessions, such as two or three.

The federal government has also published regulations regarding the protection of human subjects in research which affect school psychologists. Of particular concern for anyone working with children is the requirement of informed consent. Many child advocates believe that children should have the full panoply of adults rights and that they should not be incluced in research without agreeing to participate. However, Department of Health, Education, and Welfare (DHEW) in 1978 and, subsequently, the Department of Health and Human Services in 1981, have published rules which leave to Institutional Review Boards (IRB) the task of determining whether or not children are capable of assenting. In doing so, the Boards are to take into account the age and maturity of the children involved. If the Board decides that assent is not necessary, it must decide if an advocate is needed for the child. The right to assent may also be abrogated

if the research is directly beneficial to the child and that benefit is only available through the research. The DHEW regulations also specify the parents' involvement in the consent process.

Some research is exempt from full-scale IRB review. Included in the exempt research is:

> Research conducted in established or commonly accepted educational setting, involving normal educational practices, such as (A) research on regular and special education instructional strategies, or (B) research on the effectiveness among instructional techniques, curriculum or classroom management. Research involving solely the use of standard educational diagnostic, aptitude, or achievement tests, if information taken from these sources is recorded in such a manner that subjects cannot be reasonably identified, directly or through identifiers linked to subjects (DHEW, 1979, as cited in Bersoff, 1982, p. 1071).

Thus, much school-related research is exempt from federal rules. It behooves the ethical school psychologist, nevertheless, not only to be thoroughly familiar with federal regulations, but to go beyond them to assure that the rights and total well being of all involved in any research are protected.

Behavior Control

Schools by their nature are engaged in behavior change, and

individual freedoms must be curtailed. Schools commonly use the threat and exercise of punishment (detention, suspension, negative comments on report cards) to control students' behavior. A question has been raised about whether the manipulation of the behavior of others is a violation of their essential humanity (Kelman, 1965). This philosophy raises serious questions about the educational process, where children are being educated and socialized. If we agree with Skinner that all human beings control and are controlled (Skinner, 1956), we must become aware of the overt and covert aspects of control used continually in the school setting. Questions arise about whether having a socially approved goal then makes control ethical and humane, and about which behaviors are desirable in order to attain this hypothetical socially approved goal. The school has specific goals, and is expected to achieve measurable results for which it is accountable. The psychologist may be expected to help people conform to socially approved goals, rather than to help individuals determine their own goals, (McGowan, 1978). It has been suggested that schools aim toward socialization to a single standard, and those who are not in conformity with the norm may be labeled deviant in a negative sense (Rappaport, Lamiell, and Seidman, 1983).

Since the psychologist has knowledge of and some training in behavior management (or manipulation), he/she may be asked to use this knowledge to assist the school, often in an informal way, and sometimes in establishing a formal behavior management plan. If

the psychologist is asked to teach behavior modification techniques to teachers, he/she may be asked to improve the teachers' ability to manipulate students in service of the educational process. The psychologists' responsibility then is to question the use to which the training will be put, its consequences and implications. For example, such techniques may be used to meet the teacher's need for a quiet, controlled class by restricting students' behavior, rather than to enhance the students' growth in decision-making and self control. Or an appropriate technique may be used in an inappropriate way. For example, in one setting teachers were trained in using classroom discussions to deal with discipline problems. However, one teacher began using these groups to discuss particular children rather than general problems, and was unaware that this led to scapegoating and increased acting out of the negative behaviors.

Often teachers are not aware that they are engaged in behavior control. The confusion exists in the minds of many that what is good for the school is good for the student. Since the relationship between the student and teacher is quasi-voluntary, it is most important that the teacher also be aware of whether he/she is working to further his/her own ends, the goals of the school or those of the student. Another consideration is that the production of change may meet the momentary needs of the student but there may be long-range consequences as well. It is important for the psychologist to explore these questions with the teacher, and to maintain

ongoing consultation with teachers who are using behavioral techniques so as to assure that the individuality of the students is not totally subject to the good of the classroom (Davis & Sandoval, 1982).

Behavior modification has potential for abuse in the school because it answers so well the institution's need for an effective means of controlling students. Because existing ethical codes do not contain specific guidelines for the use of behavior modification techniques, the school psychologist should seek to develop such guidelines. Martin (1972) offers a guide which is helpful. Social incentives are preferable to material incentives as a method of control, and aversive techniques are to be avoided. Fully informed parental consent is seen as the paramount ethical principle, and the assent of the child should be considered as well. Sanction from the school administration and teachers is seen as compliance with the values of the community, but do not reflect the informed consent of those directly involved, the parents and children. In all circumstances the practitioner has the ethical obligation not to engage in the design or execution of a program of behavior modification beyond his/her level of training and experience. Ultimately, however, the school psychologists must not agree to carry out programs which they consider inappropriate.

Competency

Another area in which ethical conflicts arise is that of competency. Because school staff members are frequently unclear

as to the role and expertise of the school psychologist, they sometimes ask the psychologist to do things for which she/he has little or no training. In his description of the transference problems of community-based psychiatrists Berlin (1966) might have been writing about school psychologists:

> The mental health specialist may be looked to as the expert who can make things right in much the same way that parents are looked to, to solve the world's problems out of their wisdom and parental powers without requiring work from those who solicit help (p. 167).

When the psychologist has no new solutions to the problem or when solutions require work on the part of the school staff, the angry reaction conveys the feeling, "You really could help us if you wanted to be nice,but you are being contrary and withholding" (Berlin, 1966). It is important for the school psychologist to recognize both individual and systemic limitations, and not promise more than can be delivered.

Often the need is apparent for group or individual counseling of students, especially at the secondary level. Many school psychologists have no training in this area, or only minimal competence. Individual assessment of one's own competence is required. Where gaps exist, supervisor or continuing education or retraining should be sought. A similar dilemma involves the request for institution of a behavior modification program.

While many school psychologists have a highly developed understanding of the principles involved, others have never received extensive training in their application. This lack of expertise, together with time constraints may result in a poorly planned and inadequately supervised application of behavioral techniques which is undertaken in response to a plea for help from a teacher. Guidelines 1.6 of the Specialty Guidelines for the Delivery of Services by School Psychologist specifies that "school psychologists limit their practice to their demonstrated competence" (APA, 1981, p. 674). Ongoing continuing education training may help substantially to fill the gaps in training competencies need to fulfill the extended role of the school psychologist. Current school psychology training programs could make a commitment to develop continuing education training sequences in psychotherapy with children and families, group counseling in schools, or parent effectiveness training, utilizing systems interventions. Many local and national and professional associations, as well as university training programs already attempt to fill this need, but perhaps standards and criteria could be developed for specific competencies, and course sequences that develop the competencies can be formulated. This would help to eliminate the patchwork of standards currently in effect.

Conclusions

What does our consideration of the legal and ethical issues facing school psychologists suggest as a course of action to

resolve the ethical dilemmas and improve our delivery of services? Sametz (1983) sees no substitute for knowledge of the law. But even with a thorough knowledge of the laws, which often conflict and are inconsistent, one must have a system of problem solving to employ when faced with ethical dilemmas. In addition, the school psychologist must recognize that professional expertise brought to practice in the schools is not value free. It is imperative that those who see themselves as helping others, especially children, clarify their ideals, goals, norms, and standards of behavior. It is important to consider questions of individual responsibility in the face of authority or in the face of unethical or ineffective behavior on the part of one's colleagues. School psychologists must be aware of their own biases and weaknesses. They must also become aware of the values of the community, and finally, of the values of the individuals with whom they interact.

While psychologists make every effort to reconcile any differences which arise, individual ethical integrity must remain paramount. School psychologists might also take on the responsibility of assisting the institutions within which they work to clarify values and goals, and to develop appropriate guidelines and standards which advocate for the best interests of children.

When all is said and done, the school psychologist who fulfills the role mandated by law, follows ethical guidelines,

functions effectively in bureaucratic structure, and, when necessary, goes "beyond the guidelines" may still encounter ethical dilemmas. In order to make ethically informed personal choices with the expanded professional role, it is important to have on going peer support, supervision, continuing education and training rewarded by the school. Psychologists must gain practice in dealing with the processes involved in resolving ethical dilemmas, and must receive the professional support needed to live up to standards and ideals.

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